UNITED NATIONS

SECURITY COUNCIL
OFFICIAL RECORDS

THIRTY-EIGHTH YEAR

2444th MEETING: 26 MAY 1983

NEW YORK

CONTENTS

Page

Provisional agenda (S/Agenda/2444) 1

Adoption of the agenda 1

The situation in Namibia:

Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);

Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761) 1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2444th MEETING

Held in New York on Thursday, 26 May 1983, at 10.30 a.m.

President: Mr. M. KAMANDA wa KAMANDA (Zaire).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2444)

1. Adoption of the agenda

2. The situation in Namibia:
   Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
   Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

The meeting was called to order at 11.30 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:
Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

1. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the representative of Mauritius to take a place at the Council table.

At the invitation of the President, Mr. Maudave (Mauritius) took a place at the Council table.

2. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the President of the United Nations Council for Namibia and the other members of the delegation to take places at the Security Council table.

At the invitation of the President, Mr. Lusaka (President of the United Nations Council for Namibia) and the other members of the delegation took places at the Council table.

3. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite Mr. Nujoma, President of the South West Africa People's Organization (SWAPO), to take a place at the Council table.

At the invitation of the President, Mr. Nujoma took a place at the Council table.

4. The PRESIDENT (*interpretation from French*): In accordance with decisions taken at previous meetings on this item [*2439th to 2443rd meetings*], I invite the representatives of Afghanistan, Algeria, Angola, Australia, Bangladesh, Barbados, Benin, Botswana, Bulgaria, Canada, Chile, Cuba, Cyprus, Democratic Yemen, Egypt, Ethiopia, Gabon, the Gambia, the Federal Republic of Germany, Guinea, India, Indonesia, Jamaica, Japan, Kenya, Kuwait, Liberia, the Libyan Arab Jamahiriya, Mali, Mexico, Mongolia, Morocco, Mozambique, the Niger, Nigeria, Panama, Qatar, Romania, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sri Lanka, the Syrian Arab Republic, Tunisia, Turkey, Uganda, the United Republic of Tanzania, the Upper Volta, Venezuela, Viet Nam, Yugoslavia and Zambia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Zarif (Afghanistan), Mr. Hadj Azzout (Algeria), Mr. de Figueiredo (Angola), Mr. Joseph (Australia), Mr. Hashim (Bangladesh), Mr. Moseley (Barbados), Mr. Adjibade (Benin), Mr. Legwaila (Botswana), Mr. Tsvetkov (Bulgaria), Mr. Pelletier (Canada), Mr. Trucco (Chile), Mr. Malmierca (Cuba), Mr. Moushoutas (Cyprus), Mr. Al-Ashtal (Democratic Yemen), Mr. Khalil (Egypt), Mr. Ibrahim (Ethiopia), Mr. Davin (Gabon), Mr. Blain (Gambia), Mr. van Well (Federal Republic of Germany), Mr. Kaba (Guinea), Mr. Rao (India), Mr. Kusumaatmadja (Indonesia), Mr. Shearer (Jamaica), Mr. Kuroda (Japan), Mr. Wabuge (Kenya), Mr. Abulhassan (Kuwait), Mrs. Jones (Liberia), Mr. Burwin (Libyan Arab Jamahiriya), Mr. Traore (Mali), Mr. Marin Bosch (Mexico), Mr. Erdenechuluun (Mongolia), Mr. Mrani Zentar (Morocco), Mr. Chissano (Mozambique), Mr. Oumarou (Niger), Mr. Fafowora (Nigeria), Mr. Cabrera (Panama), Mr. Jamal (Qatar), Mr. Marinescu (Romania), Mr. Niasse (Senegal), Ms. Gonthier (Seychelles), Mr. Stevens (Sierra Leone), Mr. Adan (Somalia), Mr. von Schirnding (South

Africa), Mr. Fonseka (Sri Lanka), Mr. El-Fattal (Syrian Arab Republic), Mr. Slim (Tunisia), Mr. Kirca (Turkey), Mr. Owiny (Uganda), Mr. Rupia (United Republic of Tanzania), Mr. Bassole (Upper Volta), Mr. Martini Urdaneta (Venezuela), Mr. Le Kim Chung (Viet Nam), Mr. Mojsov (Yugoslavia) and Mr. Goma (Zambia) took the places reserved for them at the side of the Council chamber.

5. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received letters from the representatives of Argentina, the German Democratic Republic and Hungary in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

At the invitation of the President, Mr. Muñiz (Argentina), Mr. Ott (German Democratic Republic) and Mr. Rácz (Hungary) took places at the side of the Council chamber.

6. The PRESIDENT (*interpretation from French*): Members of the Council have before them document S/15791, containing a note by the President of the Security Council, dated 25 May 1983, and the text of a statement by the representative of Seychelles.

7. The first speaker is Mr. Augustine Stevens, Minister of State for Foreign Affairs of the Republic of Sierra Leone, whom I welcome. I invite him to take a place at the Council table and to make his statement.

8. Mr. STEVENS (Sierra Leone): On behalf of the Government of the Republic of Sierra Leone, and on my own behalf, Sir, I wish to congratulate you on your assumption of the presidency of the Council for the month of May and to thank the Council, through you, for acceding to our request and granting us the opportunity to participate in this important debate on Namibia. Our thanks are also due to the Secretary-General for his very concise and objective report on this item [*S/15776*].

9. To you, Mr. President, I must say that my delegation has been highly impressed by the manner in which you have conducted these Council meetings. It is indeed a happy and gratifying coincidence that a distinguished son of Africa, in the person of yourself, should be presiding over this debate on Namibia, a problem which our two sister countries view with great concern.

10. Our congratulations are also due to those delegations that have addressed the Council before me for their constructive contributions to the debate. We have in mind here, among others, Mr. Lusaka, President of the United Nations Council for Namibia, Mr. Rao of India, speaking on behalf of the Chairman of the Non-Aligned Movement, and Mr. Maudave in his capacity as Chairman of the Group of African States.

11. We offer a special tribute to the suffering people of Namibia and reiterate unreservedly our solidarity with SWAPO.

12. As a prelude to my delegation's contribution to yet another Council debate on the protracted issue of Namibia, we offer the following remarks made here on 23 May by the representative of the United Kingdom:

> "At the time of independence, Namibia will face a difficult economic transition. . . . We have long experience and useful technical skills, developed through economic co-operation with many other countries, which, we believe, could help to promote Namibia's longer-term economic and social development." [*2439th meeting, para 61.*]

13. When these remarks were made I suspect that they were first greeted with retorts to the effect that independence should be granted first and the question of economic and social development would follow.

14. My Government, while cognisant of the primacy of independence for Namibia in these debates, wishes to take as a point of departure the issue of economic and social development, if only to provide another perspective and a pointer to the graveness of the question before us.

15. "South West Africa", as it was called in 1945 and before, when the issue was first touched on by the United Nations, is a problem which is as old as the United Nations itself. The generation of South West Africans born in 1945, who reached 21 years of age in 1966, had hopes, I want to believe, in 1966, more than ever before, that their life-chances would take a dramatic turn for the better with the adoption of General Assembly resolution 2145 (XXI) of 27 October 1966. As we all know only too well, resolution 2145 (XXI) terminated South Africa's Mandate to administer the Territory of South West Africa.

16. What happened to the hopes of the 1945 generation of Namibians? What is the life-chance or the quality of life, the economic and social situation, of that generation compared—if comparison can be made—with their peers in sister African countries that attained independence in 1966?

17. We need not guess, nor search for, answers to these questions; scars on the faces of untold numbers of Namibians at home, and abroad as refugees, who have survived and continue to be the target of South Africa's race-motivated repressive actions, South Africa's actions in contravention of internationally accepted conventions on human rights and its policy and practice of *apartheid* are vivid expressions of the objective reality facing the 1945 generation of Namibians.

18. And what do we offer as potentials and guarantees for the economic and social development of the generation of Namibians born in 1966, at the time when the

General Assembly terminated South Africa's Mandate? At the prime age of 17—1966 to 1983—this generation at home and abroad sits listening to and awaiting the outcome of these debates. What chances are there that this solemn session of the Council will provide anything other than what this generation might call "the usual"?

19. It is, indeed, a telling comment on this our United Nations—and, yea, on the Council—that any segment of the world, any nationality and any age group should find reason for despair and be led to conclude that, collectively, we cannot be a source of hope and strength and stand resolutely in support of the quest for justice, freedom and equality.

20. At 38 years of age or older, at 17 or younger, Namibians deserve now, more than ever, the fullest assurances that we in the United Nations will live up to the terms of our solemn obligation under Article I, paragraph 1, of the Charter of the United Nations:

> "To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace."

21. With regard to Namibia, living up to the terms of our obligations under the Charter requires that we keep in focus the intransigence of the racist régime of South Africa and its avowed commitment to holding the rest of us to ransom. Records of the Organization are replete with examples of South Africa's prevarication and contempt for all that the United Nations and, indeed, the Council have attempted in the quest to put an end to South Africa's acts of aggression against the defenceless people of Namibia and neighbouring African States, particularly the front-line States, to maintain peace in that region.

22. But even as we focus on the racist régime of South Africa, its allies, some of whom are on record as having the best intentions for Namibia, should not escape our attention, as they give us reason to suspect that they, too, could be partners in crime against humanity and particularly the long-persecuted and oppressed people of Namibia.

23. This admonition is offered against the background information contained in the recently distributed report of the United Nations Council for Namibia[1] with particular reference to part five, paragraphs 971 to 1153, concerning contacts between Member States and South Africa since the adoption of General Assembly resolutions ES-8/2 and 36/121 B of 14 September and 10 December 1981. Paragraphs 48 to 112 of the report contain indications of the extent to which some Member States have been engaged in direct or indirect economic and trade relations with South Africa, in spite of various Assembly resolutions which culminated in the call for Member States to refrain from diplomatic, consular and other contacts with South Africa.

24. The report of the International Conference in Support of the Struggle of the Namibian People for Independence, which was convened in Paris from 25 to 29 April 1983,[2] provides a startling account of how entrenched in their support of South Africa some Member States are. The areas of co-operation between South Africa and these Member States include technical and material resources supply for the development and acquisition of nuclear capability by South Africa; military security and defence pacts in breach of the arms embargo imposed by the Council; economic and trade agreements which not only have an economic destabilization effect on Namibia, but also rob it of its natural resources, particularly the country's uranium supply and marine life.

25. With such a range of support coming from quarters that are sympathetic to the cause of Namibia, it should be no wonder then that South Africa has remained intransigent. Herein lies the challenge to this body.

26. In all of these developments, however, we are impressed with the moral commitment of a host of our numbers to seeing Namibia assume its rightful place in our world as an independent State, and exercise its inalienable rights which are part and parcel of this status.

27. In this regard, my delegation takes note of, and remains impressed with, the untiring efforts of the five Western members of the Council, the front-line States and Nigeria, which have narrowed the scope of the issue, leaving us with the task of defining the constitutional framework to serve as guide for an independent Namibia and, indeed, the electoral process that would bring about the country's independence peacefully.

28. The efforts of the United Nations Council for Namibia, and especially its President, and those of the Secretary-General in touring and consulting with leaders in the region of southern Africa, as well as his unequivocal stand and the challenge he has lodged on the doorstep of the Council, are worthy of our commendation.

29. We have come close to a solution if indeed we agree that what remains is a definition of a constitutional framework and an electoral process. We can ill afford any attempts to steer us away from this course.

30. My delegation wishes at this point to reiterate that it stands firm behind Council resolution 435 (1978), as the only legitimate basis for negotiating Namibia's independence. In this regard, we avail ourselves of this opportunity to reaffirm our conviction that the people of Namibia are entitled to the exercise of their inalienable right to independence and self-determination in a united Namibia, including Walvis Bay, Penguin Island and other islands within its territorial boundaries; that the United Nations has direct responsibility, through the United Nations Council for Namibia, for the administra-

tion of Namibia until such time as the country attains independence; and that we regard SWAPO as the sole and authentic representative of the people of Namibia.

31. Extraneous issues now advocated in some quarters as pre-conditions for Namibia's independence, such as the withdrawal of Cuban troops from Angola, casting Namibia's independence in cold-war terms, do not impress my delegation in the least to warrant a change in our position. We believe that independence for Namibia should continue to be viewed primarily as a decolonization issue and thus should be debated strictly in this context.

32. Angola is a sovereign State. The Council has not found its bilateral relations with Cuba a threat to international peace and security, which would make its relations with Cuba a violation of the Charter of the United Nations. It is thus not within our jurisdiction, we believe, to question or take issue with Angola's relations with Cuba, which would be tantamount to questioning the sovereignty of Angola and interfering in its internal affairs.

33. The glaring fact is that the conditionality of withdrawing Cuban troops from Angola is a pretext behind which the racist and oppressive régime of Pretoria wishes to conceal its illegal occupation of Namibia, using that country as a military base for the acts of aggression it has continued to wage on the front-line States.

34. The events in southern Africa which took place on the eve of the commencement of these debates are another manifestation of the graveness of the policy and practice of *apartheid*. It is regrettable that lives and property continue to be lost and endangered with the persistence of this problem.

35. In conclusion, we urge that a call be made for the immediate implementation of resolution 435 (1978) which, in essence, has brought us to now resolving the issue of the constitutional framework and electoral process in Namibia. It is equally important that concern be given to creating an atmosphere in Namibia that would facilitate free and fair elections.

36. To this end, we must ensure an effective voter education and registration programme; free assembly that would permit SWAPO and any other political parties to participate in an electoral process without intimidation or threat to their lives and property; the de-South-Africanization of Namibia, that is, the removal of all *apartheid* tendencies in that Territory; and increased responsibilities for the United Nations Council for Namibia in the electoral process.

37. We further appeal to the international community and particularly to the allies of South Africa, through your good offices, Mr. President, and those of the Secretary-General, for support of the type that would ensure an atmosphere conducive to free and fair elections in Namibia.

38. The PRESIDENT (*interpretation from French*): The next speaker is Mr. Alberto Picho Owiny, the Minister of State for Foreign Affairs of Uganda. I welcome him and invite him to take a place at the Council table and to make his statement.

39. Mr. OWINY (Uganda): Mr. President, I express my gratitude to you and the members of the Council for giving me an opportunity to participate in this debate.

40. It is a pleasure for my delegation to see you, Sir, the Minister for Foreign Affairs of Zaire, a neighbouring country with which Uganda enjoys warm relations, presiding over the Council's work. We are confident that, given your wide experience in international affairs, you will guide the work of the Council with great success.

41. I address the Council as the representative of one of the countries that was mandated by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, meeting at New Delhi from 7 to 12 March 1983, to participate in the present deliberations of the Council on the question of Namibia. In calling for this meeting, and mandating 31 Ministers for Foreign Affairs to participate in and follow closely the Council deliberations, the Non-Aligned Movement has once again underscored the importance it attaches to the decolonization question of Namibia. This demonstrates its commitment to the struggle of the Namibian people and confidence in the ability of the Organization to design effective means for the implementation of the United Nations plan endorsed in Council resolution 435 (1978).

42. About five years ago, the hopes of the international community were raised when, on the initiative of the five Western countries with close political, economic and military relations with South Africa, the Council adopted resolution 435 (1978) as a basis for Namibia's independence. We were promised then that Namibia would achieve freedom within a year. Members of the Western contact group of five undertook to ensure South Africa's compliance with resolution 435 (1978) and the United Nations plan.

43. The last five years have been a frustrating experience for all who desire to see Namibia independent. Expectations have been raised only to be replaced by despair. Rather than seeing progress towards the goal of independence, we have been witnessing South Africa's use of one pretext after another to derail the United Nations plan.

44. Despite South Africa's prevarications Africa did not lose patience; it continued, through the front-line States and Nigeria, to negotiate with the contact group in good faith. The front-line States and Nigeria conducted intensive consultations with the contact group to remove all obstacles hampering the implementation of resolution 435 (1978). As the latest report of the Secretary-General [*S/15776*] indicates, progress was made towards solving the new issues which South Africa had raised. Agreement was reached on principles concerning the Constituent Assembly and the Constitution of an independent Na-

mibia. Substantial progress was made on other outstanding matters, including the composition and deployment of the United Nations Transition Assistance Group (UNTAG). Indeed, so high were the hopes of implementing the United Nations plan that arrangements were set in motion to recruit staff for UNTAG. The only outstanding issue which remained was the electoral system. The international community thus eagerly expected the Council to meet and adopt the enabling resolution.

45. It is well known that the only matter which is holding up Namibia's independence is the injection into the negotiations of the so-called linkage between the withdrawal of Cuban troops from Angola and Namibia's independence by a member of the contact group, namely, the United States.

46. As I stated during the thirty-seventh session of the General Assembly,[3] Uganda sees no justification for any linkage between Namibian independence and the presence of Cuban military personnel in Angola. The former is a clear-cut colonial issue, and has been treated as such by the United Nations and by the entire international community. The latter, on the other hand, is a bilateral arrangement, which is by no means unique, between two independent, sovereign States. It is an historical fact that the presence of Cuban military personnel in Angola was occasioned in the first place by South African aggression against Angola, which continues to this day in the southern region of Angola.

47. We note with satisfaction, however, that a member of the Western contact group, namely, France, has publicly dissociated itself from the linkage. We call upon the others to follow that example.

48. As a result of the linkage and the attendant intransigence of South Africa, the process of negotiation on independence has been paralysed. The international community has felt indignant and has expressed its concern at the lack of progress. The Conference of Heads of State or Government of Non-Aligned Countries, and the International Conference in Support of the Struggle of the Namibian People for Independence underscored the fact that Namibia remains the responsibility of the United Nations alone. The Secretary-General, in his lucid report, has stated that he regards the problem of Namibia as his special responsibility in view of the unique relationship between the United Nations and the people of Namibia. He has also expressed his concern at the delay in implementing the Council resolution. The international community thus considers it appropriate that the Council should once again examine the problem. Both the declaration issued at New Delhi by the Seventh Conference of Heads of State or Government of Non-Aligned Countries [*S/15675 and Corr. 1 and 2, annex*, sect. I, para. 49] and the Paris Declaration on Namibia[4] issued by the International Conference in Support of the Struggle of the Namibian People for Independence, call for a meeting of the Council so that it can reassert itself and shoulder its responsibilities concerning the implementation of resolution 435 (1978).

49. As I stated earlier, it is about five years since the adoption of resolution 435 (1978), which we were assured would be implemented within one year. Yet to this day South Africa continues to defy the Council. The time has now come for the Council to shoulder the responsibilities assigned to it by the Charter and implement its own decisions on this matter. Failure to act will only undermine the authority and confidence reposed in the Council.

50. the situation in Namibia and southern Africa arising from the illegal occupation of the Territory is grave. At the 2439th meeting, the President of SWAPO, Mr. Sam Nujoma, gave us a vivid account of the untold suffering that Namibians, both within and outside the Territory, continue to endure at the hands of South Africa. Apart from being denied the fundamental right to self-determination, the people of Namibia are prevented from enjoying all elementary human rights, forced to join the South West African Force, tortured and maimed. The economic resources of the country are being plundered, contrary to Decree No. 1 for the Protection of the Natural Resources of Namibia.[5] South Africa utilizes Namibia as a base for committing acts of aggression and destabilization against the front-line States. To this day, South African troops continue to occupy the southern part of Angola.

51. Only last Monday, Pretoria mounted an air raid against Mozambique, at the very time when the Council was commencing consideration of the Namibian problem. That is the latest in a series of raids and subversive activities which South Africa has carried out against Angola, Botswana, Seychelles, Mozambique, Lesotho, Zimbabwe, Zambia and other African States.

52. Uganda condemns in the strongest terms those aggressive acts. In this regard, the President of the Republic of Uganda, Mr. A. Milton Obote, made a statement yesterday on the occasion of the twentieth anniversary of the Organization of African Unity (OAU), in which he declared, *inter alia*:

> "While we celebrate this historic day, we are at the same time reminded of the fact that the racist, criminal South African *apartheid* régime continues to occupy the territory of an OAU member State, namely, the People's Republic of Angola, and to carry out acts of subversion and aggression against the African front-line States. We condemn unreservedly and in the strongest terms the South African *apartheid* régime's violation of the sovereignty of the People's Republic of Mozambique. We also demand that the South African régime immediately remove its forces from Angolan soil. The cowardly raid carried out by the heinous South African régime in Maputo only serves to strengthen our determination to eradicate the evil and inhuman system of *apartheid* from our continent."

53. As I had occasion to warn the Council in April 1981 [*2276th meeting*], the illegal occupation of Namibia is not a case of an ordinary illegality. It constitutes a breach of the peace, has given rise to continuous aggression and

clearly constitutes a danger to international peace and security. It falls squarely within the purview of Article 39 of the Charter of the United Nations.

54. The Council has a solemn responsibility towards the people of Namibia. It is therefore incumbent on it to bring a rapid end to this illegality. The purpose of this series of meetings is to examine ways and means of implementing resolution 435 (1978). My delegation believes that, in order to expedite this process, it would be useful for the Council to stipulate a definite time-frame for the implementation of resolution 435 (1978). The hand of the Secretary-General should be strengthened and the central role of the United Nations in bringing about the independence of Namibia should be reaffirmed. In our view, the Council should keep the situation under constant review until the process is completed. In the event that South Africa continues to defy the decisions of the Council, the Council should consider imposing the appropriate punitive measures under Chapter VII of the Charter.

55. It will be recalled that, under resolution 439 (1978), the Council warned South Africa that, if it did not cooperate with the Secretary-General in the implementation of resolutions 385 (1976), 431 (1978) and 435 (1978), the Council would meet forthwith to initiate appropriate actions under the Charter including measures contemplated under Chapter VII, so as to ensure South Africa's compliance with those resolutions.

56. The OAU and SWAPO have declared that they are ready to proceed with the immediate implementation of the United Nations plan for Namibia. Thus the front-line States and Nigeria have fulfilled their obligations in this undertaking. Unfortunately, the Western contact group has as yet to fulfil its part in this arrangement.

57. It is high time the Council reasserted itself in the fulfilment of its responsibilities. Uganda maintains that resolution 435 (1978) remains the only basis for a peaceful settlement of the Namibian question. There can be no satisfactory solution outside the framework of resolutions 385 (1976) and 435 (1978).

58. We in Uganda have always maintained that any discussion of a settlement of the Namibian question must be based on certain fundamental principles. These principles are: first, that the people of Namibia have an inalienable right to self-determination, freedom and national independence in a united Namibia which includes Walvis Bay, Penguin Island and other offshore islands; secondly, that Namibia is a special responsibility of the United Nations; thirdly, that the occupation by South Africa and its fraudulent constitutional schemes for the so-called internal settlement are illegal and must be condemned; fourthly, that the exploitation of Namibia's resources by both South African and other foreign interests, while the illegal occupation continues, are illegal and constitute a violation of the Charter; and fifthly, that the people of Namibia, in the face of the occupier's intransigence, have a right to wage through SWAPO, their sole and authentic representative, a liberation struggle by all means, including armed struggle.

59. I wish to express our appreciation to the Secretary-General and his Special Representative, Mr. Ahtisaari, for their efforts in trying to achieve independence for Namibia and to defuse the explosive situation which the illegal occupation gives rise to. We agree with the views he expressed in his report where he stated:

> "I believe that the settlement of the Namibian question is of overriding importance for the future peace and prosperity of the entire region. For this reason, I urge that the Namibia problem be regarded as a primary question in its own right, the solution of which will in itself ease other tensions in the region and be in the long-term interest of all concerned. . . . I must repeat that I regard the independence of Namibia as the essential and primary issue, which we must now face up to without further delay." [*S/15776, para. 20.*]

60. I wish also to extend a well-deserved tribute to Mr. Paul Lusaka, President of the United Nations Council for Namibia, and his colleagues in the Council for the valuable work they have done in preparing Namibia for nationhood.

61. In conclusion, I wish to commend the front-line States for the steadfast support they have given to the liberation struggle in southern Africa in spite of the heavy odds they face. I also take this opportunity to reaffirm the solidarity and support of the Government and people of Uganda with the people of Namibia in their just struggle for independence under the leadership of SWAPO, their sole and authentic representative.

62. The PRESIDENT (*interpretation from French*): Before I call on the next speaker, I should like to welcome to the Council table Mr. Witness Mangwende, Minister for Foreign Affairs of Zimbabwe. I warmly welcome him on behalf of the Council.

63. The next speaker is the representative of the Federal Republic of Germany. I invite him to take a place at the Council table and to make his statement.

64. Mr. van WELL (Federal Republic of Germany): Mr. President, thank you for permitting my delegation to participate in this debate on Namibia. I am convinced that under your able guidance, which we have been able to witness on many previous occasions, this debate will fulfil its purpose of doing everything possible to bring to the long-tested people of Namibia their dearly-sought independence at the earliest possible time.

65. My country, as is well known, has historic ties with Namibia and therefore has taken a particular interest in the efforts of the United Nations to bring independence to this last Territory in Africa, which, in our view, has for far too long been waiting for the chance to take its fate into its own hands. The other overriding reason for my Government's long-standing commitment to and support

for Namibian independence is our concern for peace and stability in southern Africa.

66. It was with dismay and deep concern that my Government learned of the latest escalation of violence in South Africa and Mozambique, which has once more claimed many human lives. The Federal Minister for Foreign Affairs, Mr. Genscher, has just stated:

> "It is our declared policy to reject every instance of the use of force in the pursuit of political goals, no matter who resorts to such action. In our view, the change urgently needed in South Africa should be brought about by political consensus. We condemn any breach of international law inherent in abuse of the sovereignty and territorial integrity of neighbouring States. This practice of violating national boundaries must be stopped immediately, since incursions of this nature dangerously aggravate tensions in southern Africa and could become a serious threat to peace."

67. When my country first was elected to the Security Council in 1977, after having joined the United Nations in 1973, we considered it our duty to join with four other Western members of the Council in order to help actively in bringing about a negotiated settlement for the question of Namibia. It was possible to define, within one year's time, a settlement plan which has been accepted by all parties concerned, first of all by the Namibians themselves but also by the administering Power, South Africa, and, not the least, by the international community as the only way to the independence of Namibia. The plan which the contact group worked out, in close co-operation with all parties concerned, has been endorsed by resolution 435 (1978), which, to this day, is the only basis for the coming independence of Namibia. I should like to point out specifically that, without the co-operation of the front-line States, that is, Angola, Botswana, Mozambique, the United Republic of Tanzania and Zambia, later joined by Zimbabwe, and supported by Nigeria, the result would not have been possible. Their sense of the possible and feasible has been an important asset in this negotiation process.

68. My Government shares the deep regret and great concern that, in spite of the general acceptance of resolution 435 (1978), Namibia still has not gained independence. Almost five years have elapsed since the adoption of resolution 435 (1978), during which untold efforts were undertaken to bring this resolution to implementation. The history of these efforts is well known and has been reflected by numerous speakers before me. I shall not endeavour to recount them all. Suffice it to say that the main reason for the lack of implementation of resolution 435 (1978) is the absence of political resolve on the part of the main party to the conflict to live up to the obligations undertaken by accepting this resolution.

69. Accordingly, the main task before us in the ongoing negotiations, as well as here in the present Council debate, is to bring about the necessary conditions for implementation of resolution 435 (1978).

70. In the view of my delegation, the present debate can play an important part in improving conditions conducive to implementation. The fact of this debate itself; furthermore, the presence of a large number of Ministers for Foreign Affairs from front-line and other African States, as well as non-aligned countries, and the large number of speakers in the debate all bear testimony to the high importance attributed by the whole international community to the Namibian question. By this demonstration, important general awareness is still further heightened that the Namibian problem can no longer remain unsolved.

71. The comprehensive and objective report submitted by the Secretary-General [*S/15776*] has been welcomed by my Government, as it expresses in a very commendable way the concerns of the international community over the delays retarding the independence of Namibia, and the Secretary-General rightly makes himself the spokesman of these concerns.

72. At the same time that these concerns are legitimately voiced, my delegation—basing itself on its experience in these negotiations—has to warn that the necessary climate of confidence must not be destroyed by understandable dismay at the prolonged lack of implementation. To everyone in this Council chamber it is well known that the pre-implementation meeting at Geneva failed in January 1981 because of the prevailing distrust and lack of confidence between the parties concerned, not excluding distrust of the United Nations as a whole.

73. The contact group has undertaken, in the time since that meeting, to strengthen the confidence between the parties concerned in order to establish the basis for implementation.

74. The first step on this way was to bring about a general agreement on the outlines of constitutional principles which will be incorporated into the Constitution of an independent Namibia by its own Constituent Assembly to be elected according to the provisions of resolution 435 (1978). The discussions which the five Western States undertook with SWAPO and the internal parties in Namibia, as well as with South Africa, the front-line States and the United Nations Secretariat showed that, after some initial hesitation, this approach was considered to be helpful. By the spring of 1982, the work on the constitutional principles was almost completed, and following consultations of the contact group with the front-line States, Nigeria and SWAPO in July and August 1982, final agreement was reached on these principles so that they could be transmitted to the Secretary-General of the United Nations and issued as a document [*S/15287*].

75. As work on the constitutional principles drew to an end, the contact group concentrated on other outstanding issues which, likewise, had to be settled in order to generate the confidence necessary for the implementation of resolution 435 (1978). In the New York consultations of July and August 1982, the contact group settled these matters with the front-line States, Nigeria and SWAPO and, in parallel talks in Washington, also with South

Africa. As a result, on 24 September 1982, representatives of the parties involved in these New York consultations met with the Secretary-General and informed him that the questions that had been raised as to the impartiality of the United Nations as an arbiter for implementation and with reference to the composition of UNTAG did not any longer present difficulties with regard to the implementation of resolution 435 (1978).

76. A further result of the consultations in New York last summer was the certainty that a decision concerning the electoral system to be applied—either proportional representation or single-member constituencies—had to be made before the beginning of implementation of resolution 435 (1978).

77. All these efforts of last summer have improved the necessary climate of confidence, and I appeal to everyone committed to the independence of Namibia and all who are involved in these negotiations to do their best not to endanger what has been achieved so far. Although disappointment at the lack of progress may prompt angry reactions in the media, the responsible interlocutors should constantly have in mind the long way already behind us and should not lose patience because the last steps to the finish take more time than expected. Impatience may only lead to more obstacles and prolong the way still to be covered.

78. Patience is required also from the members of the contact group in view of regional security concerns. While my delegation emphasizes that these concerns do not form part of the mission that the contact group undertook in 1977, we are still confronted with the fact that such concerns exist and will have to be taken into account by all who realistically aim at the implementation of resolution 435 (1978). The development of the Namibia negotiations has shown that the presence of foreign troops in the region of southern Africa is a matter causing suspicion and mistrust.

79. My Government, like many others, is dismayed at the slow progress and the many delays which we have witnessed in our common effort to bring independence to Namibia. Nevertheless, we are confident that the Council will act on the basis of its responsibility towards Namibia and with a sense of what is politically feasible, keeping in mind the psychological factors involved so as not to give anybody new pretexts for further delays.

80. I want to conclude my statement with words of appreciation, to the Secretary-General first of all, and to his Special Representative and the Secretariat as a whole, for their impressive work and untiring efforts continually undertaken in a cause to which my Government remains deeply committed. It has been the foresightedness, realism and result-oriented approach of our African negotiating partners that has contributed decisively to our reaching this final stage in our joint diplomatic efforts. We should stay and work together now that we have to induce the confidence and political will necessary to bring about the start of the implementation of resolution 435 (1978). All of us have demonstrated that the principle of the Charter of the United Nations with regard to the peaceful settlement of disputes is not an empty phrase but can become political reality even in difficult circumstances. Our hope is that the Namibian undertaking will eventually, and soon, be crowned by full success. Failure would only satisfy those who do not believe in the peaceful settlement of disputes and reconciliation. The Federal Republic of Germany remains committed to those principles, which it accepted as obligatory when joining the United Nations. We shall therefore do our share as resolutely as in the beginning to ensure final success in the efforts to bring independence to Namibia as soon as possible by internationally recognized free and fair elections on the basis of Council resolution 435 (1978).

81. The Federal Minister for Foreign Affairs, Mr. Genscher, spoke yesterday at a public meeting held in Bonn to celebrate the twentieth anniversary of the founding of the OAU, and made special reference to the question of Namibia. I should like to quote that passage of his speech. He said:

> "The Namibian people must be permitted at last to exercise their right to determine their own political destiny. That is the aim of the Federal Government in its unrelenting efforts to bring about a peace settlement on the basis of Security Council resolution 435 (1978). The swiftest possible implementation of the United Nations plan for a solution in Namibia, as I told the European Parliament on 8 February of this year, remains the priority aim of the Federal Government's policy on Namibia. It is actively pursuing this policy together with its partners in the five-member Western contact group. The European Ten are united in support of this policy."

82. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Morocco. I invite him to take a place at the Council table and to make his statement.

83. Mr. MRANI ZENTAR (Morocco) (*interpretation from French*): Allow me first of all to extend to you, Sir, my warm congratulations on your assumption of the presidency of the Security Council and also to express my pleasure at the fact that Zaire's term of office is being enhanced by the fact that you, the Minister for Foreign Affairs of Zaire, have come here to occupy the Chair during the Council's consideration of an item that is of particularly close concern to Africa. In addition, you represent a country with which Morocco maintains exemplary brotherly relations and your long and rich personal experience at the United Nations and in international relations, and the high esteem in which we all hold you, guarantee that the Council's deliberations will respond to the hopes that the valiant people of Namibia and the people of Africa in general have reposed in this series of meetings.

84. I should also like to pay a particular tribute to Mrs. Jeane Kirkpatrick, the representative of the United States, for the competent and elegant manner in which she conducted the particularly delicate discussions last month.

85. I am grateful to you, Sir, and to all the other members of the Council for having allowed me to participate in this meeting, and I should like at this point to express an ardent hope, that of seeing the Council conclude in a positive fashion this debate that we hope will be the last devoted to Namibia under colonial domination.

86. The resumption of the consideration of the question of Namibia by the Council, with the solemnity and prestige conferred upon it by the presence of many Ministers for Foreign Affairs from four continents is a striking illustration of the fact that the patience of the international community is exhausted. Indeed, to this very day, neither the exhortations and condemnations nor the many sanctions that have been adopted on the initiative of the countries members of the Non-Aligned Movement or the OAU have succeeded in prevailing upon the racist régime of South Africa to face realities. The *apartheid* régime arrogantly persists in inflicting on the brother people of Namibia humiliation, every refinement of violence and the heavy weight of oppression. It is also increasing its acts of aggression and political and economic destabilization against neighbouring independent African States.

87. At the very moment the Council was beginning its present debate, the Pretoria régime, far from responding to the expectations of the international community, embarked upon a cynical aggressive operation against the wholly peaceful civilian population of our brother country, Mozambique. This new act of barbarism testifies once again to the total contempt in which the *apartheid* régime holds international decisions, respect for the law, legality and, quite simply, universal morality.

88. Pretoria's zeal in pursuing and extending its policy of social and racial fragmentation, both in South Africa itself and in Namibia, is an affront to the conscience of mankind, and the Namibian people are justified in having recourse to every legitimate means at their disposal to defend their survival, regain their independence and ensure their country's territorial integrity.

89. It is precisely to break this cycle of violence, which is becoming ever more intense, that the United Nations has tackled with so much determination the task of bringing about a peaceful solution to the Namibian problem. In spite of the obstacles which the South African authorities have contrived to create for years now to divert the United Nations from a mission for which it bears full and entire responsibility, and in spite of the obstinacy of the racist régime which continues to refuse to acknowledge the inevitable, the determination of the United Nations should not be allowed to slacken or weaken in any way.

90. However, a great deal of ground has been covered since the annulment of the Mandate given by the League of Nations to South Africa over the Territory of Namibia. Important, if not definitive, milestones have been erected in order to permit a peaceful, gradual and final solution of the problem of the very last bastion of colonialism in the continent of Africa.

91. The action of the United Nations Council for Namibia, presided over by our brother Paul Lusaka, deserves our praise because of the arduousness and complexity of the task entrusted to that body and the work it has done as the legal authority charged with defending the interests of the Namibian people.

92. In adopting resolutions 385 (1976) and 435 (1978), the Council has established a process and adopted a plan designed to lead Namibia to independence. The acceptance of this process by all parties generated a momentum charged with hope and optimism, which augured a rapid, successful and final outcome to the Namibian problem.

93. In particular, the essential role entrusted to the Secretary-General in the implementation of this plan reflected the concern of the Organization to assume by all the most appropriate means its full responsibility in the decolonization of Namibia. As indicated in the further report of the Secretary-General concerning the implementation of Council resolutions 435 (1978) and 439 (1978) concerning the question of Namibia [*S/15776*], tangible progress, if not decisive progress, has been made on many points. That is why we believe that strengthening the role of the Secretary-General cannot but contribute to providing the decisive impetus for the final settlement of the Namibian problem.

94. My delegation would also like to mention, by way of encouragement, the praiseworthy efforts of the members of the contact group, thanks to which, we must acknowledge, certain difficulties have been overcome. But these efforts, which, in our view, should continue, would benefit from being intensified even further, because the blind obstinacy of the *apartheid* régime calls for firm, coordinated and well-focused action, bringing to bear all possible methods of effective pressure, methods that are, for that matter, well known to South Africa's partners themselves.

95. The implementation of the United Nations plan, which should bear in mind the legitimate impatience of the Namibian people and all African peoples, should include a binding time-table for the accession of Namibia to independence. At the same time, provision should be made for deterrent action to be taken *vis-à-vis* South Africa, to prevail upon it to co-operate with greater dedication in the implementation of United Nations decisions. Particularly, stricter and more diligent enforcement of the arms embargo against South Africa decreed by the Council in 1977 [*resolution 418 (1977)*] should form part of the set of urgent measures unanimously called for by the Council.

96. The Council, which bears primary responsibility for the maintenance of international peace and security, must continue to play its essential role by adopting, without further delay, additional concrete measures which are necessary to compel South Africa to embark without prevarication, and without ulterior motives on the process that is currently under way and to bring peace rapidly back to the region by finally doing justice by the martyred Namibian people.

97. In his report concerning the implementation of resolutions 435 (1978) and 439 (1978), the Secretary-General made a lucid and perspicacious analysis of the situation in this part of southern Africa, and drew conclusions which should be supported by the Council. I should like to quote, in particular, the following paragraph:

> "The effects of delay are being felt profoundly not only by the people of Namibia, for whose welfare the United Nations has a special obligation, but also by other States of the region. . . . the settlement of the Namibian question is of overriding importance for the future peace and prosperity of the entire region. For this reason, I urge that the Namibian problem be regarded as a primary question in its own right, the solution of which will in itself ease other tensions in the region and be in the long-term interest of all concerned." [*S/15776, para. 20*].

98. The clarity of this paragraph and the responsible language in which it is couched by the Secretary-General make it unnecessary for many of us to enter into further detail in our comments in the Council.

99. With regard to Morocco itself, Morocco has supported since its earliest days the heroic and valiant struggle of the Namibian people, and it undertakes to continue to do so until the legitimate aspirations of this fraternal people to independence, sovereignty and the territorial integrity of Namibia, including Walvis Bay, have been fully satisfied.

100. At the Seventh Conference of Heads of State or Government of Non-Aligned Countries, at New Delhi, the head of the Moroccan delegation, Prince Sidi Mohammed, representing his father, King Hassan II, declared in his historic statement:

> "Morocco salutes the struggle of the fraternal people of Namibia and reaffirms its unswerving support of the struggle it is waging for its total independence and territorial integrity. It calls upon the international community to act in conformity with the principles of the Charter of the United Nations, to redouble its efforts to thwart the manoeuvres of the racist régime so that a start can be made on the process leading to a final solution of the Namibian problem, in accordance with Security Council resolution 435 (1978)."

101. In conclusion, the Moroccan delegation wishes to state that it endorses the conclusions in the Paris Declaration on Namibia of April 1983, of which the Foreign Minister of Senegal, Mr. Moustapha Niasse, President of the International Conference in Support of the Struggle of the Namibian People for Independence, gave us a faithful and objective picture, and in particular of the following paragraph of the Declaration which I have great pleasure in quoting:

> "The day is not far off when Namibia will be genuinely independent. In the pursuit of their noble cause the people of Namibia do not stand alone but can count on the support of all peoples and Governments that are truly committed to justice in a peaceful world."[4]

102. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Tunisia. I invite him to take a place at the Council table and to make his statement.

103. Mr. SLIM (Tunisia) (*interpretation from French*): First of all, I should like to thank you and the members of the Council for allowing the delegation of Tunisia, among other delegations, to participate in this important debate on the question of Namibia.

104. By a happy coincidence, this meeting is taking place under the presidency of a worthy son of Africa; this is reassuring and comforting to us. We are certain that, thanks to your great experience and qualities, the Council will prove equal to its responsibilities, especially at this difficult time when it is being put to the test. Together with our warm congratulations, we wish to convey to you our fraternal wishes for success.

105. Our congratulations are also addressed to your predecessor, Mrs. Jeane Kirkpatrick, for the manner in which she conducted the proceedings of the Council in the month of April.

106. The Minister for Foreign Affairs of Tunisia was to have been here today to add his voice to those of his colleagues, mandated by the Seventh Conference of Heads of State or Government of Non-Aligned Countries to come here to reaffirm the attachment of their Governments and of the Movement of Non-Aligned Countries as a whole to the maintenance of international peace and security and to strengthening the role of the United Nations and of the Council—mandated, in other words, to come here to make a statement of facts and to formulate a request.

107. The statement of facts, particularly bitter in its implacable reality, is that, despite the commitments which have been made and the assurances which have been given, Namibia is still not independent at this time.

108. The request, based on Article 24 of the Charter of the United Nations and on the primary responsibility for the maintenance of international peace and security, conferred by Member States on this supreme organ of the Organization, is that the Council should respond, this time in a positive manner, to the urgent call of the international community and, in the light of this statement of facts, take the necessary measures to ensure the implementation of its plan for the independence of Namibia.

109. Being prevented by unforeseen commitments from travelling to New York, the Minister for Foreign Affairs of Tunisia expressly asked me to support the joint action undertaken by his African and non-aligned colleagues in the Council and to reaffirm, once again, formally here the

complete and total solidarity of the Government of President Bourguiba with SWAPO in its struggle for the dignity of our Namibian brothers and for the fulfilment of their legitimate aspirations to independence and freedom. We wish to ask the leader of SWAPO, the great freedom fighter, Sam Nujoma, whose presence among us we welcome, to be kind enough to convey that message to his people in Namibia.

110. Our intention in speaking today before the Council is not and could not be to plead the cause of the independence of Namibia. In our view, that stage has definitely passed. Nor is it our intention to give reason for the slightest hope of a spontaneous change of mind on the part of the *apartheid* régime installed in Pretoria, a régime which is based essentially on repression, oppression and aggression and which cannot of its own accord accept the language of negotiation or the concept of democracy or elections.

111. Rather we wish to reflect on the role of the Organization and the manner in which it should discharge its responsibilities, for the Namibian problem is none other than that of the responsibility of the United Nations with regard to a Territory over which it exercises the authority of Administering Authority, with a view to leading it to independence at the earliest possible date.

112. The responsibility of the Organization is indeed at issue: first, at the general level, in view of General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the granting of independence to colonial countries and peoples; and then at a specific level, in view of the implementation of the plan for the settlement of the Namibian question, the United Nations plan as it is called, endorsed in Council resolution 435 (1978). How has the United Nations lived up to that responsibility?

113. For years, it has been given to adopting resolutions and taking certain decisions. Almost 17 years ago, in fact, South Africa's Mandate over Namibia was officially terminated [*General Assembly resolution 2145 (XXI) of 27 October 1966*]; approximately 12 years ago, the International Court of Justice declared illegal the occupation of the Territory of Namibia;[6] over seven years ago, the Security Council declared that it was imperative that free elections be held under United Nations supervision and control in the entire Territory of Namibia, regarded as a single political entity [*resolution 385 (1976)*]. Lastly, five years ago, the plan for the settlement of the Namibian question by peaceful means was endorsed by the Council, in its resolution 435 (1978), and thus by the international community. Nevertheless, we must note that, despite this long record and despite many decisions and resolutions, South Africa still continues today its illegal occupation of Namibia and carries out in that Territory its shameful exploitation of human and natural resources.

114. The impression one gains is that the United Nations has in actual fact been able to take only measures that deal with major principles and theories. Whenever measures have been proposed that could have any definite effect or seemed likely to deprive the Pretoria régime of the means of pursuing its policy or really to lead Namibia to independence, the Organization found itself unable to move forward and in a position where it was impossible to discharge its full responsibilities.

115. This is a matter for concern, because the solution of this problem is in fact in our hands, in the hands of the members of the Council, which has been specifically charged with the defence of the principles contained in the Charter and with ensuring their implementation, in the hands of those who bear a particular responsibility in this matter, ever since 1978, when the Namibian people and the peoples of Africa as a whole were assured that the last bastion of colonialism, in that African land, would come to an end, through the means which were declared to be the most effective, at the end of 1981.

116. To the questions raised and requests made by the international community in April 1981 in the Council [*2267th to 2277th meetings*], the chilling and brutal response given at that time was accompanied, nevertheless, by appeals to patience and new promises. In the early part of 1983, Namibia should have been welcomed into the community of free and independent nations, thus manifesting the effectiveness of the ways and means which had been advocated.

117. However, what is the situation today? Namibia is not independent. The repression of the Namibian people is more intensive than ever. The exploitation of the natural resources belonging to the people of Namibia is being accelerated. The acts of aggression committed one after the other against the countries bordering on Namibia are being carried out increasingly in a planned manner, as if in execution of a policy aimed at intimidating not only those independent and sovereign countries but even the Security Council itself. The last act of aggression against our brothers in Mozambique, committed on the very day we began these deliberations, can have no other interpretation.

118. But South Africa is not content with those practices alone; at the same time it resorts to other means to get more support from its allies and to obtain absolute guarantees of impunity.

119. Thus, a worsening of the world economic crisis or an increase in tension in international relations is used by South Africa and its strategic allies to gain more time and to prolong its illegal occupation of Namibia.

120. Thus, apparently motivated by the desire to counter the effects of the economic crisis, many of the partners of Pretoria seem to brush aside the last traces of a bad conscience and with increasing openness attach importance to their economic and military relations with South Africa, thereby agreeing to strengthen a régime which is branded an outlaw by the universal conscience and under international law.

121. Thus, the resurgence of tension between East and West and the threat of a return to the cold war provide the pretext for trying to establish, after complicated bargaining, an unacceptable link between the legitimate accession of Namibia to independence and the questioning of the no less legitimate right of independent States of the region freely to choose their allies.

122. This is another example of the delaying tactics, by now well-worn—whether in southern Africa or the Middle East—which, under the pretext of whatever strategic interest is at stake, permit the aggressor to enjoy ever more complete impunity and to divert or neutralize any reaction in the West.

123. These are the realities we face today. Serious as they may seem, we do not see any valid reason for continuing to prevent the people of Namibia from exercising their right to self-determination and independence, freedom and justice; we do not see in them any valid reason why the United Nations, which has contributed to defining those principles and making them universal, should be prevented from fulfilling its responsibilities, or why the Security Council should find it impossible to defend those principles and ensure application of them throughout the world.

124. We are concerned lest the course taken by the negotiations of the contact group should lead them in the wrong direction. The explanations which we have heard are not reassuring. The lucid and unequivocal assessment made by the Minister for Foreign Affairs of one of its members, which is also a permanent member of the Council, is enlightening and shattering at the same time.

125. The Council must remind the contact group of the commitment it has undertaken and invite it to abide by it. It must be emphasized that factors which are not relevant to the implementation of resolution 435 (1978) should not hamper the implementation of that resolution, as is stressed in the excellent report of the Secretary-General, to whom I should like to pay a well-deserved tribute for the persistent and praiseworthy efforts which he continues to make in this matter. We reaffirm our confidence in the Secretary-General and his team and express the hope that they will pursue their valuable efforts to a successful conclusion.

126. We wish to reaffirm here that resolution 435 (1978) remains the only basis for a negotiated settlement of the Namibian problem and should be implemented without any further delay, unconditionally and without reservations or changes.

127. This was the promise made to the people of Namibia and the commitment undertaken regarding them. Acceptance of the plan by the legitimate representative of the Namibian people, SWAPO, was at that price and on that condition. Any new attempt at modifying or changing the plan, any further delay in implementing it, would have the legitimate consequence of freeing SWAPO and all Africa from their commitment to the course advocated in the plan, a plan which, we must recall, was originally proposed by the contact group.

128. Tunisia, for its part, will continue to support the Namibian cause in the context of respect for the options and decisions which SWAPO may find it useful to adopt, SWAPO alone being able to determine the course which the Namibian people should follow in its struggle for national liberation.

129. That being the case, my delegation cannot help wondering whether the moment has come to yield to pessimism and to latent feelings of despair or if it is still possible to believe that the road to peace has not been definitively blocked.

130. If the Organization, the only body with legal authority over Namibia until independence, cannot—when its prestige and credibility are seriously threatened—respond to the latest challenges by Pretoria, including those issued two days ago at this very table, no real progress can be made either in southern Africa or elsewhere.

131. If, on the other hand, the Council can succeed in establishing its efforts within the precise framework of the purposes and principles defined long ago by the international community, if it shows that it has decided to take the measures provided for in the Charter, if necessary, to ensure the implementation of its resolutions—if, in a word, certain Member States give evidence of a real political will and a desire to ignore legal niceties, political expediency and commercial or strategic considerations—it will then be possible to talk about success. That success will be that of justice and right; it will be that of the principles in which all of us in the Organization believe; just as it will be that of the United Nations, whose weakness and impotence are so often deplored at the very moment when it is doing everything possible to fulfil its responsibilities and rise to the level of its ambitions.

132. We hope that the Council will be able to meet our questions and our expectations in connection with this debate, the ultimate objective of which is nothing less than to turn the last page of the history of decolonization.

133. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Romania. I invite him to take a place at the Council table and to make his statement.

134. Mr. MARINESCU (Romania) (*interpretation from French*): Mr. President, permit me first of all to thank you and the other members of the Council for affording me the opportunity to participate in this exceptionally important debate.

135. Like other delegations, my delegation is very pleased to see you, the representative of Zaire, a country with which Romania maintains friendly relations based on mutual esteem and respect, assume the presidency of the Council. The fact that the representative of an African country is presiding over the work of the Council at a time when it is once again considering the problem of Namibia only serves to strengthen the feeling of urgency attaching to the solution of this problem.

136. I should also like to say to the Secretary-General how much we appreciate his tireless efforts and to assure him of the support of my country for his actions designed to bring about the solution of the problem of Namibia.

137. It is 17 years—and many speakers have reminded us of this—since the United Nations ended the Mandate of South Africa over Namibia and assumed responsibility for bringing the Territory to independence. Member States and the international community have repeatedly condemned the illegal occupation of Namibia and have unequivocally demanded the withdrawal of the armed forces and the administration of South Africa from the Territory, so that the people of Namibia could exercise freely their right to choose their own course of political, social and economic development.

138. This determination has been clearly reflected and expressed in many resolutions of the General Assembly, as well as in those of the Council, particularly resolutions 385 (1976) and 435 (1978), which lay down the plan for bringing Namibia to independence.

139. The International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris, like the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi, were very important factors in the stepping-up of efforts on the part of all progressive and democratic forces to end the occupation of Namibia, to strengthen support for the struggle of the Namibian people to exercise without delay their right to independence and to a free, independent and united homeland, and to ensure the final elimination of colonialism and imperialist domination in the African continent.

140. The history of negotiations on independence for Namibia is a story of the obstinate refusal of the Pretoria authorities to understand the realities of the world today and the sense of the political transformations which are constantly taking place throughout the world. The cynicism with which South Africa has been defying the most elementary norms of international law is reflected not only in the maintenance of the colonial régime in Namibia and the continuation of the abominable policy of *apartheid* but also in the many acts of aggression committed against African countries.

141. In the last few days, we have seen once again that the colonialist policy of *apartheid* constantly engenders violence and aggression. The extremely serious act of aggression committed against Mozambique is the most notable expression of this policy of violence and aggression in the pursuit of which there is no hesitation to resort to any means available. This particularly grave situation has persisted because the policy of the Pretoria authorities is a permanent source of destabilization in the African continent, a constant threat to the security of African States and to international peace and security.

142. The *de facto* situation created in this part of the world is all the more alarming because it exists at a time when the international situation is deteriorating.

143. Support for the struggle of the Namibian people, led by its legitimate representative, SWAPO, and action designed to compel South Africa to put an end to the illegal occupation of Namibia and its policy of aggression against African States constitute, in the view of the Romania, an integral part of the overall efforts to improve the world political climate, strengthen international peace and security and ensure respect for the right of peoples to free and independent development.

144. The deadlock which has already lasted too long in the efforts to implement the plan so laboriously produced by the United Nations to ensure Namibia's accession to independence, together with the deterioration of the situation in southern Africa as a result of the policy of *apartheid* and the aggressive actions of the racist South African régime, have aroused the profound concern of the international community.

145. At this crucial time for the destiny of the Namibian people, the United Nations must take resolute action. The ability of the Council to act to implement its own decisions is being tested, as is its capacity to intervene promptly and effectively when the independence of peoples and international stability and security are seriously threatened.

146. It is generally acknowledged, and has been reaffirmed throughout this debate, that the basis for a solution to the Namibian problem is resolution 435 (1978), adopted unanimously by the Council. It is significant that everything that depended upon the United Nations concerning the implementation of the resolution has long since been settled. Similarly, as has been demonstrated, SWAPO and the African States involved in the negotiations have adopted a constructive attitude, inspired by the will to find a peaceful solution to the Namibian situation on the basis of the plan endorsed in resolution 435 (1978). However, whenever the process of negotiations for the implementation of this plan seemed to be on the point of succeeding and leading to agreement, South Africa has resorted to delaying tactics, combined with acts of aggression against front-line African countries. Running out of pretexts, South Africa has recently been putting forward another argument, which is as ill-founded as its predecessors, and is simply designed to prolong that country's illegal presence in Namibia by attempting to link the process of the decolonization of the Territory with problems which fall exclusively within the sovereignty of other African countries.

147. These problems, as stated in the report of the Secretary-General "were neither raised nor envisaged at the time when resolution 435 (1978) was adopted or in the subsequent negotiations under United Nations auspices" [*S/15776, para. 19*].

148. The arrogant attitude of South Africa, its constant defiance of the will of the great majority of States, would not have been possible if it had not benefited from the co-operation and support of certain States, particularly in the military and economic fields.

149. Indeed, not only has the embargo on oil and arms deliveries to South Africa not become operative, but the military potential of that country has actually increased, and this has made it possible for it to adopt an even more obstructionist attitude towards the demands of the United Nations.

150. If we accept the United Nations plan, which has been so often solemnly reaffirmed and has never been challenged, we cannot countenance the addition to it of elements designed to modify its content completely and undermine its implementation.

151. Entirely relevant in this context is the appeal of the Secretary-General to all concerned to strengthen and concert their efforts within the framework of the United Nations and to demonstrate the necessary political will to bring about the early independence of Namibia in accordance with the United Nations plan. We whole-heartedly endorse the Secretary-General's assessment to the effect that the independence of Namibia is the essential and primary issue, which must be faced up to without further delay.

152. It is high time for the Council to bring its full authority to bear in order to ensure the implementation of its own resolutions, in particular resolution 435 (1978). The gravity of the situation makes it necessary to give consideration even to the application of sanctions, in accordance with the provisions of the Charter, as has quite rightly been called for by the African countries. We take this opportunity to stress the responsibility of the members of the contact group to ensure the implementation of the United Nations plan on independence for Namibia as a matter of urgency, and without compromising in any way the freedom and sovereignty of the African States.

153. The Romanian people, which throughout its history has waged a struggle marked by many sacrifices for its national and social liberation, from the very beginning gave its wholehearted political, diplomatic, moral and material support to the struggle of the Namibian people, under the leadership of SWAPO, in order to ensure by all possible means, including armed struggle, their inalienable right to a free and dignified life.

154. President Nicolae Ceauşescu has more than once reaffirmed, in his meetings with the leaders of African States and SWAPO, the militant solidarity of Romania with the peoples of southern Africa in their struggle to abolish the policy of *apartheid* and racial discrimination and to put an end to the acts of aggression and subversion of the South African racists against African countries.

155. I take this opportunity to reaffirm that Romania is resolved, in close co-operation with the African countries and all States devoted to the objectives of the Charter of the United Nations, to continue to work at the international level to ensure that the Namibian people will be able to exercise without delay their right to self-determination, so that Namibia can take its proper place among the free nations of the world. We have noted with satisfaction the Secretary-General's determination to continue his efforts to that end.

156. We express the hope that this series of Security Council meetings will produce concrete and effective measures for implementing the independence plan for Namibia; that would bring to a speedy end a process that has been delayed so often and so unjustly—the elimination of one of the last vestiges of colonialism.

157. The PRESIDENT (*interpretation from French*): The last speaker is the representative of Argentina. I invite him to take a place at the Council table and to make his statement.

158. Mr. MUÑIZ (Argentina) (*interpretation from Spanish*): Earlier this month, my delegation had an opportunity to congratulate you, Sir, the representative of a country with which the Argentine Republic has cordial relations, on your assumption of the presidency of the Council for the month of May. We are convinced that with your leadership and well-known experience the Council will be able to do effective work on the question of Namibia. My delegation stands ready to co-operate fully.

159. The Council is once again considering the question of Namibia which is of major importance in the decolonization process and for the consolidation of international peace and security. It is an historical imperative to find a solution in order to ensure the early exercise of the right to self-determination and independence by the people of Namibia and the emergence of that nation as a sovereign State.

160. The presence of colonialism and any other form of foreign domination is for the modern world a real and unwarranted historical anachronism that must be ended quickly so as to have a democratic system of international relations and so that the purposes and principles of the Charter of the United Nations may become a reality.

161. The exercise of the right to self-determination and national independence by the Namibian people is part of that system of justice and democracy which the vast majority of the international community and, in particular, the non-aligned and developing countries have sought to attain since they became independent nations.

162. At the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25 to 29 April 1983, Argentina clearly reiterated its position on this question of decolonization, the solution of which, having been arbitrarily postponed by South Africa, is a serious threat to the peace and security of the entire region of southern Africa.

163. At that time, we said that Namibia's independence should come about on the basis of the following principles and decisions, which have been accepted by a virtually universal consensus of the Organization: first, the

question of Namibia is a decolonization problem and must be resolved in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples adopted on 14 December 1960 in General Assembly resolution 1514 (XV); secondly, Namibia is the direct responsibility of the United Nations and the United Nations Council for Namibia is the legal Administering Authority for the Territory until its independence [General Assembly resolution 2145 (XXI) of 27 October 1966]; thirdly, in accordance with the 1971 advisory opinion of the International Court of Justice,[6] South Africa must immediately terminate its administration of Namibia and thus put an end to its occupation of the Territory; the States Members of the United Nations have a duty to recognize the illegality of the South African presence in Namibia and the invalidity of its acts in the name of or in regard to Namibia, and it is the duty of States not members of the Organization to support the measures adopted by the United Nations in respect of the Territory; fourthly, Council resolutions 385 (1976), 435 (1978) and 439 (1978) constitute the legal framework for a peaceful process leading to the independence of Namibia without delay, modification or qualification; fifthly, there must be full respect for the territorial integrity of Namibia, including Walvis Bay and the offshore islands, in accordance with resolution 432 (1978), unanimously adopted by the Council, and the relevant resolutions of the General Assembly; and, sixthly, there must be strict compliance with the provisions of General Assembly resolution 3295 (XXIX) of 13 December 1974 which endorsed Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia.[5] In this connection, it goes without saying that the arbitrary and continued exploitation of Namibia's resources should be categorically condemned by the Organization, since that is adversely affecting or destroying the material foundations necessary for an independent nation to have sustained economic and social development, free from any kind of external dependence.

164. Those principles and decisions I have listed, which constitute the only legitimate framework accepted by almost all members of the international community for the early independence of Namibia, were expressly reflected in the Paris Declaration on Namibia and the Programme of Action on Namibia[4] adopted by acclamation at the recent Conference. The Secretary-General's important further report concerning the implementation of Council resolution 435 (1978) and 439 (1978) [*S/15776*] is imbued with the same philosophy aimed at speeding up the process of decolonization of the Territory of Namibia, which, historically and despite all hindrances, is inevitable.

165. Today the vast majority of Member States have once again come to the Council to show their respect for international law and their faith that the organs of the United Nations will shoulder their responsibilities so that a final definitive thrust is given to the efforts to make possible the legitimate exercise of the right to self-determination and independence of the Namibian people. The time has come for South Africa, in the same spirit, to cease its acts of intimidation and aggression against neighbouring States, such as the recent attack against Mozambique, eliminate the hateful system of *apartheid* and abandon any attempt to perpetuate its colonial domination through an internal settlement.

166. At the same time, any kind of condition which violates the sovereignty of independent States or which may be alien to the application of Council resolution 435 (1978) must be rejected. In this connection, we reiterate our support for the position taken by the front-line States in issuing the Lusaka communiqué of 4 September 1982 and the Havana communiqué of 20 February 1983.

167. There is no need to emphasize the importance of this series of meetings of the Council for the Namibian people and for SWAPO, its sole legitimate representative. The Conference of Heads of State and Government of Non-Aligned Countries, meeting at New Delhi, appealed to the Council to meet as soon as possible to consider new measures aimed at speeding up the implementation of the plan for Namibia and designated 31 Ministers for Foreign Affairs from Asia, Africa, Latin America and Europe to take part in these meetings [*see S/15675 and Corr. 1 and 2, annex, sect. I, para. 49*]. In so doing it clearly emphasized that the cause of the Namibian nation enjoys respect and practically universal consensus.

168. Consequently, my delegation expresses the hope that the Council will heed the opinion of the vast majority of the international community, as expressed in the Non-Aligned Movement, the General Assembly and other international forums. To that end, it must shoulder its major responsibility for the application of resolution 435 (1978) and the adoption of all the necessary measures, including those provided for in Chapter VII of the Charter of the United Nations, to demonstrate the real and sincere existence of a political will to bring about the independence of Namibia within the shortest possible time.

169. At the same time, my country must emphasize that effective action by the Council would be of considerable help to the very constructive work of the Secretary-General, who stated in his report that the question of Namibia was his special responsibility in view of the unique relationship between the United Nations and the people of Namibia. The efforts which the Secretary-General has already undertaken with such dedication and wisdom deserve the gratitude of all the parties directly concerned and of the entire international community.

170. This cause of justice and dignity must not be subjected to further delay. Argentina attaches special importance to its participation in this debate, to show its present and future support for all measures adopted by the Organization with a view to eliminating every manifestation of colonialism or foreign domination. Such

situations, like the situation in Namibia, shock the conscience of nations that desire peace, justice and development.

The meeting rose at 1.25 p.m.

NOTES

[1] *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 24.*

[2] A/CONF.120/13.

[3] *Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings,* 25th meeting.

[4] See *Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris 25-29 April 1983* (A/CONF.120/13), part three.

[5] See *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24,* Vol. I, annex II.

[6] *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I. C. J. Reports 1971,* p. 16.

كيفية الحصول على منشورات الأمم المتحدة

يمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم . استعلم عنها من المكتبة التي تتعامل معها أو اكتب إلى : الأمم المتحدة ، قسم البيع في نيويورك أو في جنيف .

如何购取联合国出版物

联合国出版物在全世界各地的书店和经售处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.

Litho in United Nations, New York 00400 90-60205—March 1991—2,050